

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

**UNITED STATES OF AMERICA,
Plaintiff,**

v.

Case No. 19-MJ-1383

**JOSHUA DENIO,
Defendant.**

**ORDER DIRECTING THE UNITED STATES MARSHAL TO
ARRANGE FOR THE DEFENDANT'S MEANS OF NONCUSTODIAL
TRANSPORTATION OR FURNISH THE FARE FOR SUCH
TRANSPORTATION TO THE DISTRICT OF ARIZONA**

Joshua Denio appeared before this court on December 18, 2019, pursuant to a warrant issued out of the District of Arizona. Denio was convicted in the District of Arizona of three petty offenses and in relevant part was ordered to complete a two-year term of probation. (ECF No. 1-4 at 1.) Roughly three months later, he allegedly violated his probation by committing new crimes when he battered his girlfriend. He was charged in state court with bail jumping, battery, and disorderly conduct, all of which were misdemeanors. The case was resolved ten days later when Denio pled guilty to bail jumping and, in exchange, the battery and disorderly conduct charges were dismissed but read in, *see* Wis. Stat. § 973.20(1g)(b). The court sentenced Denio to one year of

probation. *See* Trempealeau Cnty. Cir. Ct. Case No. 2019CM000233, available at <https://wcca.wicourts.gov>.

The court initially ordered Denio detained and transferred to the District of Arizona. But the court vacated that order and reconvened a hearing to assess whether the procedure authorized under 18 U.S.C. § 4285 would be appropriate. Based on the facts adduced at that hearing, the court finds that the defendant is financially unable to provide the necessary transportation to appear before the required court on his own. Moreover, the court further finds that the interests of justice would be served by the United States marshal arranging for or furnishing the fare for Denio's noncustodial transportation to the District of Arizona.

Therefore, the court now orders that the United States marshal shall arrange for Denio's means of noncustodial transportation or furnish the fare for such transportation to the place where his appearance is required. In addition, the United States marshal shall furnish Denio with an amount of money for subsistence expenses to his destination, not to exceed the amount authorized as a per diem allowance for travel under section 5702(a) of title 5, United States Code.

SO ORDERED.

Dated at Milwaukee, Wisconsin this 20th day of December, 2019.


WILLIAM E. DUFFIN
U.S. Magistrate Judge